

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

In Re: **Grand Jury Subpoena No. 2241**  
(USAO No. 2022R00146)

Case No. 1:23-mj- **278**

**Filed Under Seal**

**APPLICATION FOR ORDER COMMANDING PROVIDER NOT TO NOTIFY ANY  
PERSON OF THE EXISTENCE OF SUBPOENA**

The United States requests that the Court order Meta Platforms, Inc, along with its parent, subsidiary, or affiliate companies (“Meta”), not to notify any person (including the subscribers and customers of the account(s) listed in the subpoena) of the existence of the attached subpoena, **numbered 2241, for a period of 180 days, up to and including March 10, 2024.**

Meta is a provider of an electronic communication service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Pursuant to 18 U.S.C. § 2703, the United States obtained the attached subpoena, **numbered 2241**, which requires Meta to disclose certain records and information to the United States. This Court has authority under 18 U.S.C. § 2705(b) to issue “an order commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order.” *Id.*

In this case, such an order would be appropriate because the attached subpoena relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the attached subpoena will seriously jeopardize the investigation or unduly delay a trial, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of

behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b). Some of the evidence in this investigation is stored electronically. If alerted to the existence of the subpoena, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

Accordingly, the United States respectfully requests that the Court grant the attached Order directing Meta not to disclose the existence or content of the attached subpoena for a period of 180 days, except that Meta may disclose the attached subpoena to an attorney for Meta for the purpose of receiving legal advice.

The United States further requests that the Court order that this application and any resulting order be sealed for **a period of 180 days, up to and including March 10, 2024**. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Respectfully submitted this 12th day of September, 2023.

FRANCIS M. HAMILTON III  
United States Attorney

By: s/ Kyle J. Wilson  
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UNITED STATES DISTRICT COURT  
for the  
Eastern District of Tennessee

**SUBPOENA TO TESTIFY BEFORE A GRAND JURY**

To: Meta Platforms, Inc.  
1601 Willow Road  
Menlo Park, CA 94025  
Attn: Law Enforcement Response Team

**YOU ARE COMMANDED** to appear in this United States district court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: Joel W. Solomon Federal Building, United States Courthouse  
900 Georgia Avenue  
Chattanooga, TN 37402

Date and Time:

October 24, 2023 @ 09:00 a.m.

You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

Please see attached.

It is requested that in lieu of appearance, records may be sent to US Postal Inspector Jedidiah Hutchison by email to: JJHutchison@uspis.gov by October 17, 2023. If you choose to deliver the records to Inspector Hutchison, your personal appearance before the Grand Jury will not be necessary and a proper return of the subpoena to the Grand Jury noting your compliance will be made. If further information is needed to comply with this subpoena, please contact Jed Hutchison at 423-277-3854

You are requested not to disclose the existence of this subpoena or the fact of your compliance. Any such disclosure on your part could impede the investigation being conducted and thereby interfere with the enforcement of the law. If you nonetheless intend to disclose the existence of this subpoena, please first contact the undersigned Assistant United States Attorney so that the government may seek appropriate recourse.

Date: 09/12/2023



CLERK OF COURT

*Signature of Clerk or Deputy Clerk*

The name, address, e-mail, and telephone number of the United States attorney, or assistant United States attorney, who requests this subpoena, are:

Kyle J. Wilson  
1110 Market Street, Suite 515  
Chattanooga, TN 37402  
423-752-5140  
Kyle.Wilson@usdoj.gov

A handwritten signature in black ink, appearing to be "KW", written over a horizontal line.

**PROOF OF SERVICE**

This subpoena for *(name of individual or organization)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_  
\_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**ATTACHMENT TO GRAND JURY SUBPOENA #2241**

**To:** Facebook (Meta Platforms, Inc.)  
1601 Willow Road  
Menlo Park, CA 94025  
Attn: Law Enforcement Response Team

Please provide the records and information described below, which are associated with the following:

- **username: Ruby Beyen:**
  - **User ID: facebook.com/profile.php/?id=100002629696676**
- **username: Lex Hak:**
  - **User ID: facebook.com/profile.php/?id=830820318**

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, service addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long distance telephone connection records (including records of text messages sent and received) (All), if applicable;
4. Records of session times and durations (All);
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including model type/numbers, phone numbers, IMSIs, IMEIs, MEIDs, UDIDs, MAC addresses, and advertising IDs);
7. Other subscriber numbers or identities, including any temporarily assigned network addresses (including the registration and session IP addresses with associated port numbers); and
8. Means and source of payment for such service (including any credit card or bank account number).

Please provide this information, if available, as data files on CD-ROM or other electronic media or by making the information available for the government to download.

**Please provide all available information related to the accounts above for the period August 1, 2021, through the present.**

Please send records to:  
Email: JJHutchison@uspis.gov  
Or By Mail To:

Postal Inspector Jedidiah Hutchison, U.S. Postal Inspection Service, 910 Georgia Avenue,  
Chattanooga, TN 37402  
423-277-3854

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC RECORDS PURSUANT TO  
FEDERAL RULES OF EVIDENCE 902(11) AND 902(13)**

I, \_\_\_\_\_, attest, under penalties of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by Facebook (Meta Platforms, Inc.), and my title is \_\_\_\_\_. I am qualified to authenticate the records attached hereto because I am familiar with how the records were created, managed, stored, and retrieved. I state that the records attached hereto are true duplicates of the original records in the custody of Facebook (Meta Platforms, Inc.). The attached records consist of \_\_\_\_\_

(generally describe records in terms of pages, CDs, or megabytes of data). I further state that:

- a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth by, or from information transmitted by, a person with knowledge of those matters, they were kept in the ordinary course of the regularly conducted business activity of Facebook (Meta Platforms, Inc.), and they were made by Facebook (Meta Platforms, Inc.) as a regular practice; and
- b. such records were generated by an electronic process or system of Facebook (Meta Platforms, Inc.) that produces an accurate result, to wit:
  1. the records were copied from electronic device(s), storage medium(s), or file(s) in the custody of Facebook (Meta Platforms, Inc.) in a manner to ensure that they are true duplicates of the original records; and
  2. the process or system is regularly verified by Facebook (Meta Platforms, Inc.) and at all times pertinent to the records certified here the process and system functioned properly and normally.

I further state that this certification is intended to satisfy Rules 902(11) and 902(13) of the Federal Rules of Evidence.

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Date

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Signature